

Message Text

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ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-04 INR-05 LAB-01

NSAE-00 RSC-01 SIL-01 CAB-02 DODE-00 DOTE-00 FAA-00

PA-01 USIA-06 PRS-01 SP-02 L-02 H-01 SCCT-01 SY-04

/043 W

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P 111010Z NOV 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 5916

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E.O. 11652: N/A

TAGS: EAIR JA

SUBJ: CIVAIR - NORTHWEST AIRLINES (NWA) LABOR PROBLEMS AT HANEDA

REF: TOKYO 14581

SUMMARY. JCAB AUTHORITIES DO NOT CONSIDER THAT LABOR DISPUTE INVOLVING

NWA OPERATIONS AT HANEDA AIRPORT HAVE REACHED POINT WHERE SECURITY OF AIRCRAFT OR SMOOTH OPERATION OF AIRPORT ARE AFFECTED AND THUS HAVE NO INTENTION AT PRESENT OF INTERVENING. END SUMMARY

1. E/C COUNS AND FAA REP CALLED ON JCAB SENIOR DEPUTY DIRECTOR-GENERAL

GOTO AND OTHER JCAB OFFICIALS ON NOVEMBER 11 FOR MORE EXTENDED DISCUSSION OF NWA LABOR PROBLEM AT HANEDA FOLLOWING CONTINUED HARASSMENT OF NWA BY STRIKING EMPLOYEES DURING WEEKEND.

E/C COUNS NOTED REPORTS FROM NWA THAT STRIKING EMPLOYEES CONTINUED TO ENGAGE IN A VARIETY OF ACTIVITIES WHICH IMPEDED NWA OPERATIONS.

HE MENTIONED REPORTS THAT

(A) STRIKERS HAD CONFISCATED ABOUT 80 PIECES OF NWA EQUIPMENT AND PREVENTED ITS REMOVAL BY NON-STRIKING PERSONNEL; (B) WERE USING

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VARIOUS MEANS TO PREVENT NWA FROM USING EQUIPMENT LOANED

BY OTHER AIRLINES; AND

(C) WERE PHYSICALLY HARASSING NON-STRIKING WORKERS, INCLUDING BY CRUISING RAMP AREA IN NWA VEHICLES IN SEARCH OF NON-STRIKERS SOME OF WHOM WERE FORCEABLY DETAINED FOR PERIODS OF UP TO 12 HOURS. FAA REP CORROBORATED SOME OF ABOVE REPORTS FROM OBSERVATION BY FAA OFFICIALS AT AIRPORT AND MENTIONED OTHER INCIDENTS SUCH AS REMOVAL OF GROUND POWER EQUIPMENT FROM PARKED AIRCRAFT AND THREATS BY STRIKERS TO RUN DOWN NON-STRIKERS WITH NWA VEHICLES TO DRIVE THEM FROM RAMP WORK AREAS.

2. E/C COUNS EMPHASIZED THAT IT WAS NOT EMBASSY'S PURPOSE OR DESIRE TO INTERVENE IN LABOR DISPUTE BUT RATHER TO EXPRESS INTEREST IN ASSURING SECURITY AND SAFETY OF U.S. AIRCRAFT. IN THAT REGARD HE SAID JCAB OFFICIAL AT HANEDA HAD TOLD NWA REPS THAT HE HAD NO AUTHORITY TO INTERFERE WITH STRIKERS ROAMING RAMP AREA; HIS ONLY INSTRUCTIONS WERE TO SUMMON HANEDA POLICE IN CASE OF INCIDENTS ACTUALLY RESULTING IN DAMAGE TO AIRCRAFT OR INJURY TO PASSENGERS. SINCE THESE INSTRUCTIONS WERE SEEMINGLY AT VARIANCE WITH GOTO'S STATEMENT RE INSTRUCTIONS TO AIRPORT AUTHORITIES REPORTED REFTEL, AND IN VIEW EMBASSY'S INTEREST IN THIS MATTER, E/C COUNS ASKED GOTO FOR CLARIFICATION OF JCAB POSITION AND SAID EMBASSY WAS SPECIFICALLY ASKING THAT STRIKERS RETURN NWA EQUIPMENT AND CEASE HARASSMENT OF NON-STRIKING PERSONNEL.

3. GOTO'S RESPONSES, DURING LENGTHY CONVERSATION WHICH INCLUDED FREQUENT CONSULTATIONS AMONG JCAB OFFICIALS, COVERED FOLLOWING POINTS:

(A) JAPANESE LABOR UNIONS EMPLOY A VARIETY OF METHODS TO GAIN THEIR OBJECTIVES AND IT IS DIFFICULT FOR GOVERNMENT AGENCIES SUCH AS JCAB TO JUDGE WHICH ACTIVITIES ARE LEGAL AND WHICH ARE NOT. JCAB HAS DISCUSSED NWA PROBLEM WITH LABOR MINISTRY, BUT LATTER'S REPLY WAS AMBIGUOUS. IN ESSENCE, THEN, WHEN LABOR DISPUTE CANNOT BE SETTLED BETWEEN THE TWO PARTIES, EITHER PARTY HAS RECOURSE TO LABOR MINISTRY AND/OR THE COURTS. SINCE NEITHER SIDE IN PRESENT DISPUTE HAS RESORTED LIMITED OFFICIAL USE

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TO THOSE CHANNELS, JCAB FEELS IT HAS NO BASIS FOR INTERFERING WITH STRIKERS' ACTIVITIES AND IT DOES NOT INTEND TO DO SO FOR FEAR OF BEING ACCUSED OF UNIONS OF INAPPROPRIATE INTERVENTION.

(B) IN RESPONSE TO E/C COUNS COMMENT THAT ABOVE STATEMENT SEEMED TO BE IN CONFLICT WITH JCAB RESPONSIBILITIES FOR MAINTAINING AIRPORT SECURITY AND THAT NWA ASSERTED THAT JCAB HAD RESPONDED TO SOMEWHAT SIMILAR

LABOR SITUATION IN 1962 BY ISSUING
REGULATIONS MAKING HANEDA
RAMP PASSES VALID ONLY FOR WORK ACTIVITIES, GOTO ASSERTED THAT
JCAB CLEARLY HAS RESPONSIBILITY FOR ASSURING SAFE AND EFFICIENT
OPERATION OF THE AIRPORT.
HOWEVER, WITH REFERENCE TO ACTIVITIES OF RAMP PASS HOLDERS,
HE SAID PASS HOLDERS WOULD BE REFUSED ADMITTANCE TO RAMP AREA
ONLY IF IT WAS CLEAR THAT PURPOSE
OF ENTRY WAS TO PREVENT OR OBSTRUCT SMOOTH
OPERATION OF THE AIRPORT. IN PRACTICE GOTO THOUGHT IT WOULD
HARDLY EVER BE APPARENT THAT A PASS HOLDER
HAD SUCH INTENTIONS AND THAT
GENERALLY IT HAS TO BE ASSUMED THAT WHEN AN AIRLINE EMPLOYEE
SEEKS ENTRY TO RAMP AREA HE DOES SO FOR LEGITIMATE WORK PURPOSES.
HE SAID ADMITTANCE IS NEVER DENIED TO A PASS HOLDER SOLELY ON
GROUNDS THAT HE IS A STRIKING EMPLOYEE. ON OTHER HAND, HE SAID
RAMP PASSES ARE ISSUED AT AIRLINES'
REQUEST AND JCAB WOULD SUSPEND ANY RAMP PASSES WHICH NWA
PHYSICALLY RETRIEVED FROM ITS STRIKING EMPLOYEES AND PRESENTS
TO JCAB FOR SUSPENSION. E/C COUNS NOTED THAT STRIKERS COULD NOT
BE EXPECTED TO RELINQUISH THEIR PASSES VOLUNTARILY AND ASKED
WHETHER JCAB WOULD SUSPEND PASSES OF EMPLOYEES IDENTIFIED BY
NWA IN WRITING.
GOTO SAID IT WOULD NOT.
(C) JCAB'S REQUIREMENTS OF STRIKING WORKERS ARE TWO-FOLD: THAT
THEY NOT TAMPER WITH OR DAMAGE AIRCRAFT AND THAT THEY NOT IMPEDE
SMOOTH OPERATION OF HANEDA AIRPORT. WHILE FORMER REQUIREMENT IS
REASONABLY CLEAR-CUT, HE CONCEDED
THAT LATTER WAS MATTER FOR SUBJECTIVE JUDGMENT
OF AIRPORT ADMINISTRATOR. AIRPORT ADMINISTRATION HAS BEEN
INSTRUCTED TO WATCH SITUATION CAREFULLY AND REPORT ON DEVELOPMENTS.
BASED ON THESE REPORTS, JCAB HAS CONCLUDED THAT STRIKING EMPLOYEES'
ACTIVITIES HAVE NOT HAMPERED AIRPORT OPERATIONS, NOR RESULTED
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IN DAMAGE TO AIR-
CRAFT OR EQUIPMENT, AND THUS JCAB INTERVENTION IS NOT
WARRANTED. IF SUCH INCIDENTS DO IN FACT OCCUR, OR APPEAR LIKELY
TO OCCUR, AIRPORT ADMINISTRATOR HAS ONLY
LIMITED MEANS TO CONTROL SITUATION AND WOULD CALL ON HANEDA
POLICE FOR ASSISTANCE IF NEEDED.

4. IN RESPONSE TO E/C COUNS' QUESTIONS, GOTO CONFIRMED THAT
NEITHER DELAYS IN NWA'S OPERATIONS AFFECTING SCHEDULES OF OTHER
AIRLINES NOR STRIKERS'
EFFORTS TO DISRUPT NWA'S OPERATIONS CONSTITUTED QTE
HAMPERING OF SMOOTH OPERATIONS UNQTE. HE ALSO RESPONDED NEGATIVELY
TO HOPE EXPRESSED BY E/C COUNS THAT JCAB WOULD
ARRANGE FOR NWA EQUIPEMENT TO BE
RETURNED BY STRIKERS AND FOR STRIKERS ENGAGED IN NON-WORK

ACTIVITIES TO BE BARRED FROM RAMP AREA.

5. FAA/TOKYO IS MONITORING SITUATION CAREFULLY AND REPORTS THAT
NWA IS CONTINUING TO OPERATE WITHIN ITS REQUIREMENTS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR UNIONS, HANEDA, CIVIL DISORDERS, LABOR STRIKES
Control Number: n/a
Copy: SINGLE
Draft Date: 11 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974TOKYO14666
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740324-0153
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741152/aaaabsygy.tel
Line Count: 174
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: TOKYO 14581
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 31 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 JUL 2002 by cunninfx>; APPROVED <17 MAR 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - NORTHWEST AIRLINES (NWA) LABOR PROBLEMS AT HANEDA
TAGS: EAIR, JA
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005